

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS**

BONNIE S. KRAMER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2017-CV-2828
	)	
CHIPOTLE MEXICAN GRILL, INC.,	)	
FEDERAL REALTY GROUP, LTD.,	)	
FEDERAL REALTY MANAGEMENT,	)	
INC., and FEDERAL REALTY	)	
INVESTMENT TRUST,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL OF A CIVIL ACTION**

PLEASE TAKE NOTICE that Defendant, FEDERAL REALTY INVESTMENT TRUST, by and through its attorneys, David T. Nani of SMITHAMUNDSEN LLC, hereby files this Notice of Removal for the removal of the above-captioned matter from the Circuit Court of Cook County, (Case No. 16 L 009493) to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. In support of this Notice of Removal, FEDERAL REALTY INVESTMENT TRUST, states and alleges as follows:

**I. Statement of Facts**

1. FEDERAL REALTY INVESTMENT TRUST was served with a Summons and Complaint in an action entitled *Bonnie Kramer v. Chipotle Mexican Grill, Inc.*, Cook County Circuit Court Case No. 16 L 009493, on March 15, 2017. A copy of the Summons and Complaint is attached as Exhibit A.

2. This Notice of Removal is being filed within 30 days from service of the Complaint and is therefore timely pursuant to 28 U.S.C. § 1446(b).

**II. Diversity**

3. Complete diversity of jurisdiction exists between the plaintiff and FEDERAL REALTY INVESTMENT TRUST

4. Upon information and belief, Plaintiff, BONNIE S. KRAMER, is a resident of the State of Illinois.

5. FEDERAL REALTY INVESTMENT TRUST is a Maryland corporation and has its principal place of business in Maryland.

6. CHIPOTLE MEXICAN GRILL, INC. IS a Delaware corporation with its principal place of business in Colorado.

7. FEDERAL REALTY GROUP, LTD. was dissolved in 1997. (See printout from Illinois Secretary of State Website, attached hereto as Exhibit B). Because FEDERAL REALTY GROUP, LTD. was dissolved 20 years ago, it cannot be served with process. It could not have had any involvement with the location where Plaintiff claims her accident occurred on October 25, 2015.

8. FEDERAL REALTY MANAGEMENT, INC. was a foreign corporation which withdrew itself from the State of Illinois in 1989. (See printout from Illinois Secretary of State Website, attached hereto as Exhibit C.)

**III. Amount in Controversy**

9. Upon information and belief, the matter in controversy exceeds \$75,000.00 in value exclusive of interest and cost. Plaintiff alleges that she is entitled to recover damages for severe and disabling injuries sustained as a result of her October 25, 2015. See Exhibit A.

**IV. Conclusion**

10. The United States District Court has subject matter jurisdiction over the complaint under 28 U.S.C. § 1332(a) as the matter in controversy exceeds \$75,000.00 in value exclusive of interest and costs, and the action is between citizens of different states. The plaintiff is a resident of Illinois for diversity considerations and the defendant is not. Diversity jurisdiction has continually existed from the time of the commencement of this action in state court to the time of filing this Notice.

11. Because this Court has jurisdiction over this action under 28 U.S.C. § 1332(a), this action is removable pursuant to 28 U.S.C. §§ 1441(a-b) and 1446.

12. Venue of this action in the United States District Court for the Northern District of Illinois is proper because the Northern District of Illinois includes Cook County, Illinois.

13. Notice of Removal has been given to all parties to this action, and a copy of the Notice of Removal has been filed in the state court action.

14. By removing this action, FEDERAL REALTY INVESTMENT TRUST, does not waive any defenses available to it.

15. If any question arises as to the propriety of the removal of this action, FEDERAL REALTY INVESTMENT TRUST requests the opportunity to present a brief and oral argument in support of its position that this case is removable.

WHEREFORE, the Defendant, FEDERAL REALTY INVESTMENT TRUST, respectfully requests that this action be removed from the Circuit Court of Cook County to this Court.

Dated: April 14, 2017

/s/ David T. Nani  
Attorneys for Defendant FEDERAL REALTY  
INVESTMENT TRUST

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